

FILED
UNITED STATES OF AMERICA CLERKS OFFICE
DISTRICT OF MASSACHUSETTS

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NO. _____
U.S. DISTRICT COURT
DISTRICT OF MASS

LLOYD F. AUDETTE,
Plaintiff,

v.

UMASS CORRECTIONAL HEALTH,
A Commonwealth Medicine Program,
Defendant, and

DEPARTMENT OF CORRECTION,
Kathleen M. Dennehy, Commissioner,
Defendant,

05-10403 DPW

MOTION FOR TEMPORARY EX PARTE RESTRAINING ORDER

Now comes the Plaintiff in the above entitled matter and respectfully requests pursuant to Fed. Rules of Civ. P. R. 65 that this Honorable Court issue an immediate ex parte temporary restraining order ordering the defendants to:

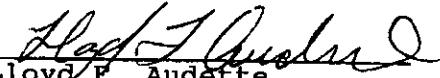
1. immediately supply the plaintiff with the Rockport walking shoes that were ordered by the podiatrist.
2. immediately start the plaintiff on testosterone injections of 1 ml. (200 cc.) every two weeks the same as the plaintiff was receiving from the Greater New Bedford Community Health Center before his incarceration which was used to assist him in gaining his body weight and maintaining it because plaintiff suffers from AIDS and experiences waisting syndrome body weight loss when not receiving delestoral testosterone injections.
3. immediately start the plaintiff on oxandrolone, 5mg. bid (twice per day) which he was receiving from the Greater New Bedford Community Health Center before his incarceration which was used in conjunction with the testosterone to maintain and control his body weight waisting problem.

4. immediately supply the plaintiff with the dietary supplement Resource four times per day rather than two times per day, which is what the plaintiff was prescribed by the Greater New Bedford Community Health Center before his incarceration to assist in controlling his weight waisting problem.
5. immediately increase the plaintiff's pain medication in accordance with the pain management medication the plaintiff was receiving by the Greater New Bedford Community Health Center before his incarceration. (i.e. methadose of 80 mg. per day/ or fentanyl patches of 75 IEU to be overlapped every two days with 5 mg. oxycodone QID [four times per day] to break through the pain)
6. to continue with these orders until a hearing can be scheduled for an injunction issuing permanent injunctive relief, and where at said hearing the court can subpoena all of the plaintiff's medical records from the Greater New Bedford Community Health Center as well as from the Department of Correction and have its own unbiased physician make a determination regarding the plaintiff's medical treatment.
7. refrain from any possible present or future retaliation against the plaintiff for pursuing legal recourse against the defendants.
8. appoint an arbitrator to check and verify that all the orders of the court are being upheld and followed by the defendants.
9. any further relief in this form as this court deems necessary.

Wherefore, Plaintiff requests that this TRO be granted immediately ex parte.

Dated: 2-16-05

Respectfully submitted,
By the Plaintiff,


Lloyd F. Audette,
Pro-se
S.B.C.C./P.O. Box 8000
Shirley MA 01464